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HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B. : HON'BLE SHRI SATISH K. AGNIHOTRI, J.

WRIT PETITION (S) No. 2038 of 2007

PETITIONER : 1. Chandra Shekhar Yadav Age about 39 years, Asstt. Teacher S/o Late Shri Diwan Singh Yadav Govt. Girls Primary School Kosmandi Block-Palari, Distt. – Raipur (C.G.)

2. Dhananjai Kumar Yadu Age about 20 years, Asstt. Teacher S/o Shri Devi Kumar Yadu Govt. Girls Primary School Ronhasi Block-Palari, Distt. – Raipur (C.G.)
3. Ashwani Kumar Patel Age about 37 year, Asstt. Teacher S/o Shri Kartik Ram Patel Primary School Baijnath Khapari Block-Palari, Distt.- Raipur (C.G.)
4. Kawlu Ram Sahu Age about 42 year, Asstt. Teacher S/o Shri Bhagela Ram Sahu Primary School Konari Block-Palari, Distt.-Raipur (C.G.)
5. Ashok Kumar Nirmalkar Age about 44 year, Asstt. Teacher S/o Shri Sampat Lal Nirmalkar Govt. Middle Girra Block Palari, Distt. –Raipur (C.G.)
6. Chandan Singh Dhruw Age about 44 year, Asstt. Teacher S/o Shri Suklu Ram Dhruw Govt. Middle School Sonar Devari Block-Palari, Distt. – Raipur (C.G.)
7. Girdhar Lal Sahu Age about 40 year, Asstt. Teacher S/o Shri Chandu Lal Sahu Govt. Middle Schol Khorshi Block-Palari, Distt.- Raipur (C.G.)
8. Ghanshyam Prasad Sahu Age about 40 year, Asstt. Teacher S/o Shri Dehra Ram Sahu Village-Kodwa, P.O.-Sasha Via-Palari, Distt.-Raipur (C.G.)
9. Mukesh Kumar Sahu Age about 36

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year, Asstt. Teacher S/o Shri Mahesh Ram Sahu Primary School Chadiya Block-Palari, Distt.-Raipur (C.G.)

10. Kaleshwar Prasad Kant Age about 37 year, Asstt. Teacher S/o Shri Same Lal Kant Govt. Primary School Lachchanpur Block-Palari, Distt.-Raipur (C.G.)
11. Pyare Lal Verma Age about 43 year, Asstt. Teacher S/o Shri Ramdin Verma Govt. Primary School Chhirahi Block-Palari, Distt.-Raipur (C.G.)
12. Rewa Ram Navrange Age about 45 years, Asstt. Teacher S/o Shri Budhuram Navrange Govt. Middle School Gitkera Block-Palari, Distt.-Raipur (C.G.)

VERSUS

RESPONDENTS : 1. State Govt. of Chhattisgarh Through-Secretary Tribal Welfare Department & Education Department D.K.S. Bhawan, Distt. Raipur (C.G.)
2. District Education Officer Raipur District-Raipur (C.G.)
3. Block Education Officer Palari District Raipur (C.G.)

Present: Shri Ajay Shrivastava, Advocate for the petitioner.
Shri Vinay Pandey, Panel Lawyer for the State/ respondents.

ORDER
(Passed on 03rd of April, 2007)

1. Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the fact and question of law involved in the present writ petition are the same to that of in **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}**, which has been disposed of vide order

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dated 03.04.2006. Learned counsel appearing for the respondents does not controvert the said submission.

2. In subsequent cases, i.e., Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another***) and other connected matters, decided by this Court on 15-12-2006, pursuant to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another***) (Supra).

3. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), subject to verification of the fact as to whether the petitioners have acquired D.Ed. Examination Certificate on their own expenses as per the circulars dated 24.12.1998 and 01.03.1999 and further whether they been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Subhash